



**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. |
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09/484,516 01/18/00 HALEPETE

S TRANS34

EXAMINER

TM01/0403

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INVERNS P

ART UNIT

PAPER NUMBER

2181

DATE MAILED:

04/03/01

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application

09/484,516

Applicant(s)

HALEPETE ET AL.

Examiner

Paul R. Myers

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 18 January 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 18) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other:

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3 and 5-9 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Horden et al PN 5,812,860.

In regards to claims 1 and 5: Horden et al teaches a method for controlling the operating condition of a computer processor comprising the steps of: determining a maximum allowable power consumption level from the operating condition of the processor (Column 6 lines 23-25); determining a maximum frequency which provides power not greater than the allowable power consumption level (Column 6 lines 26-30); determining a minimum voltage which allows operation at the maximum frequency determined (Column 6 lines 33-35); and dynamically changing the operating condition of the processor by changing the frequency and voltage to the maximum frequency and minimum voltage determined (Column 6 lines 36-40).

In regards to claims 2, 6 and 8: Horden et al teaches a power supply furnishing selectable output voltages (7 and 5); a clock frequency source (8 and 6); a central processor (Figure 1) including: a processing unit (1, 4) for providing values (15) indicative of operating conditions of the central processor; and a clock frequency generator (6) receiving a clock frequency (14) from a clock frequency source (8) and providing a selectable output clock frequency (11) to the processing unit (1, 4); and means for detecting the value indicative of operating conditions of the

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central processor (6 via 15 and 4) and causing the power supply (7, 5 via 12) and clock frequency generator (6) to furnish an output clock frequency (11) and voltage level (9) for the central processor.

In regards to claims 3, 7 and 9: Horden et al teaches the means for detecting the values including software (4) for determining the output frequency and power.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4 and 10-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Horden et al PN 5,812,860.

In regards to claims 4 and 10-11: Horden et al teaches adjusting the operating condition of the processor core for optimum operation. Horden et al does not expressly teach the core including a plurality of functional units. Official notice is taken that processor cores with a plurality of functional units is very well known in the art. It would have been obvious to a person of ordinary skill in the art at the time of the invention to include a plurality of functional units in the core because this would have allowed for greater processing capabilities.

***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

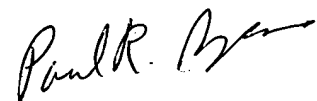
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul R. Myers whose telephone number is 703 305-9656. The examiner can normally be reached on 6:30am to 3:00pm Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Beausoleil can be reached on 703 305-9713. The fax phone numbers for the organization where this application or proceeding is assigned are 703 308-9051 for regular communications and 703 308-9052 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 305-3900.

PRM  
March 29, 2001



PAUL R. MYERS  
PRIMARY EXAMINER